

Application No.: 10/824,301

Docket No.: TINK 3.0-023

IN THE DRAWINGS

Attachment: Replacement Sheets

Please replace FIGS. 1-6 with the substituted formal drawings therefor and attached hereto.

REMARKS

The present communication is responsive to the first Official Action mailed December 12, 2005. A petition for a three-month extension of the term to respond to the Official Action, up to and including June 12, 2006, is transmitted concurrently herewith.

As noted above, applicants have also enclosed herewith a new set of formal drawings to replace the informal drawings which are currently of record. Applicants respectfully submit that no new matter is included in the newly submitted formal drawings.

Applicants have also enclosed herewith the documents necessary to assert entitlement to small entity status.

Claim 1 has been amended to recite "a circuit path including a first path formed by a substantially non-conductive composition having a first color and second path formed by a substantially conductive composition having a second color that matches the first color, said second path being disposed on said first path so as to include at least one open circuit area along said second path."

Claim 21 has been amended to recite "a circuit path disposed on said object, said circuit path including a first layer performed by a non-conductive composition of a first color, a second layer formed by a substantially conductive composition of a second color and one or more gaps disposed along said second layer that are of a switching elements, wherein the first color matches the second color so as to mask the visual appearance of the gaps and said first layer is disposed adjacent to second first layer so as to form an integral part of said circuit path."

Support for the foregoing amendments to claims 1 and 21 may be found by reference to, for example, paragraph [0052] of the written description. Applicants therefore respectfully submit

that no new matter is added to the application because of the amendments to claim 1 and 21.

Claims 1, 14, 15, 16, 20, 21, 31, and 32 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 4,845,323 to Beggs ("Beggs").

Beggs' apparatus includes a base sensing member and contact sensing member 22 formed of a non-electrically conductive flexible material, such as 10 mil vinyl. (*Beggs* Col. 3, 11.33-40) *Beggs'* sensing member 12 has sensing circuits comprising components 44, 45 formed of conductive ink and bonded to the inner surface 14 of the base member 12. (*Id.*) Contact member 22 has one or more contacts or circuits 43 formed of a non-conductive ink that also bonded to its inner surface. (*Id.* 11.47-51) Contact circuit 43 and circuit components 44, 45 are arranged in an opposed relationship such that when member 43 contacts components' 44, 45 a closed circuit condition occurs. (*Id.* Col.5,11.50-60.)

Beggs, however, does not discuss or mention the make-up of the conductive composition including its resistivity as noted by the Examiner. (Official Action 3) *Beggs* also does not mention the color of the composition or whether the non-conductive base and sensing members mask the appearance of the conductive contact circuits. Thus, *Beggs* does not teach or suggest "a circuit path including a first path formed by a substantially non-conductive composition having a first color and a second path formed by a substantially conductive composition having a second color that matches the first color," as is recited in claim 1. Likewise, *Beggs* does not disclose or suggest "a circuit path disclosed on said object said circuit path including a first layer formed by a non-conductive composition of a first color, a second layer formed by a substantially conductive composition of a second color . . . wherein the first color matches the second color," as is recited in claim 21.

In addition, *Beggs* does not teach or suggest "said first path being disposed between said first and second and so as to mask the appearance of said at least one gap," as is recited in claim 16.

Such is the case because in *Beggs'* apparatus, the conductive circuits are bonded to the inner surface of the base sensing and contact members 12 and 22. Thus, *Beggs* has no need to consider masking the appearance of the conductive circuits relative to the non-conductive base or contact members they are not visually as apparent to a user. As such, *Beggs* does not mention matching the color of the conductive circuits to either the contact member or base sensing member. Applicants therefore respectfully submit that independent claims 1, 16, and 21 are distinguishable and not anticipated by *Beggs* for at least the foregoing reasons. Further in that regard, as claims 14, 15, 20, 31, and 32 depend from one of the independent claims, these claims are also not anticipated by *Beggs* for at least for the foregoing reasons.

The Examiner rejected claims 2-13 and 17-19 under 35 U.S.C. § 103(a) as being non-patentable over *Beggs* in view of U.S. Patent 6,862,473 to Keusch ("Keusch"). Although *Keusch* discusses a relationship between a specific resistivity of a material and its dimensions as those factors relate to determining or calculating resistivity or the resistance of a path (*Keusch* Col. 14 1.27-Col.15 1.3), *Keusch* does not mention masking a non-conductive path relative to a conductive path. Thus, *Keusch* does not make up for the deficiencies in *Beggs*. Accordingly, even when combined *Keusch* and *Beggs* does not teach or suggest the features of claims 1, 16, and 21 quoted above in discussing *Beggs*. Thus, as claims 2-13 and 17-19 depend from one of the independent claims, these claims are not rendered obvious for at least the foregoing reasons.

The Examiner also cited but did not rely on U.S. Patent 4,363,081 to Wilbur ("Wilbur"). Applicants respectfully submit that although *Wilbur* teaches illuminated greeting cards, it does not make up for the deficiencies in *Beggs* and *Keusch*.

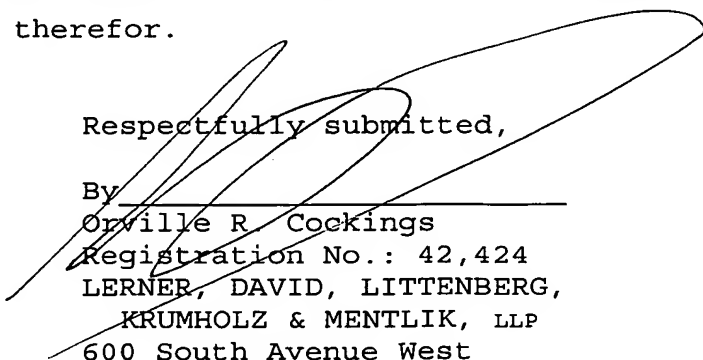
Applicants respectfully submit that claims 1, 16 and 21 are not anticipated are rendered obvious by the references of record for at least the foregoing reasons. As all the other claims pending in the application depend from either claim 1, 16 or 21, applicants respectfully submit that these claims are also not anticipated or rendered obvious for at least the foregoing reasons.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone applicants' attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: June 8, 2006

Respectfully submitted,

By 
Orville R. Cockings
Registration No.: 42,424
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicant

629841_1.DOC